

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

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In Re: NEW YORK CITY ASBESTOS LITIGATION : Hon. Joan Madden
: (Part 11)
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This Document Relates To: : **AFFIRMATION OF**
: **CAROL M. TEMPESTA**
CHRISTIAN HOLINKA, :
: Index No. 114120-06
Plaintiff :
:
-against- :
:
A.W. CHESTERTON COMPANY, et al., :
:
Defendants. :
:
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CAROL M. TEMPESTA, an attorney duly admitted to practice before the Courts,
of the State of New York, hereby affirms:

1. I am an associate with the law firm of MARKS, O'NEILL, O'BRIEN &
COURTNEY, P.C., attorneys for defendant UNIVAR USA INC. AND VWR
INTERNATIONAL, INC., in the above entitled action.

2. Defendant, Union Carbide Chemicals and Plastics Company, Inc.,
submitted a motion *in limine* for: 1) an order seeking forty-eight hour disclosure of
documents and witnesses, respectively; and 2) an order seeking disclosure of information
regarding previous settlements, together with such other and further relief as the Court
deems just and proper, under the generic caption of Frank Bianco v. A.C.& S., et al,
Index No 115546-06 which refers to the Frank Bianco, Karl Felten, Christian Holinka,
Jack Nacht, Frederick Ritzer and Joseph Saccomano matters.

3. On behalf of Defendants UNIVAR USA INC. AND VWR INTERNATIONAL, INC., I submit this Affirmation joining in Union Carbide Chemicals and Plastics Company, Inc., motion *in limine* for: 1) an order seeking forty-eight hour disclosure of documents and witnesses, respectively; and 2) an order seeking disclosure of information regarding previous settlements, together with such other and further relief as the Court deems just and proper.


CAROL M. TEMPESTA

Dated: Elmsford, New York
September 11, 2007

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